

1 District Judge James L. Robart
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 YIJIN MO RATKOWSKI, *et al.*,
10
11 Plaintiffs,
12 v.
13 ALEJANDRO N. MAYORKAS, *et al.*,
14 Defendants.

No. 2:23-cv-1536-JLR

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
~~PROPOSED~~ ORDER

Noted for Consideration on:
December 21, 2023

15 Plaintiffs and Defendants, by and through their counsel of record, pursuant to Federal Rule
16 of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to
17 stay these proceedings until March 16, 2024. Plaintiffs bring this case pursuant to the
18 Administrative Procedure Act and Mandamus Act seeking an order compelling U.S. Citizenship
19 and Immigration Services (“USCIS”) to complete processing of their Form I-130, Petition for
20 Alien Relative. However, there is good cause to continue to hold this case in abeyance.

21 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
22 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
23 control the disposition of the causes on its docket with economy of time and effort for itself, for

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
 2 P. 1.

3 With additional time, this case may be resolved, or the issues narrowed. USCIS has issued
 4 a Notice of Intent to Deny (“NOID”) Plaintiff’s Form I-130. Plaintiff has until March 16, 2024,
 5 to respond to the NOID. USCIS anticipates that it will need 60 days from receipt of the NOID
 6 response for further review and processing. As it is likely that Plaintiff will respond to the NOID
 7 prior to the deadline, the parties cannot presently calculate when this 60-day period will
 8 commence. The parties request that this case be stayed until March 16, 2024. At that time, the
 9 parties will submit a status report concerning when the NOID has been responded to and, if the
 10 60-day period has not ended, the time needed for USCIS to finish processing Plaintiff’s Form
 11 I-130.

12 Accordingly, the parties request this Court continue to hold the case in abeyance until March
 13 16, 2024. The parties will submit a joint status report on or before March 16, 2024.

14 Dated: December 21, 2023

15 Respectfully submitted,

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27 I certify that this memorandum contains 315 words,
 28 in compliance with the Local Civil Rules.

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18 *Attorneys for Plaintiffs*

1 ~~[PROPOSED]~~ ORDER

2 The case is held in abeyance until March 16, 2024. The parties shall submit a joint status
3 report on or before March 16, 2024. It is so **ORDERED**.

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5 DATED this 21st day of December, 2023.

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7 JAMES L. ROBART
8 United States District Judge